

DURHAM



1869  
CITY OF MEDICINE

**CITY OF DURHAM**

DEPARTMENT OF WATER MANAGEMENT  
101 CITY HALL PLAZA • DURHAM, NC 27701  
919-560-4381 • FAX 919-560-4479

DATE: August 31, 2015

MEMO TO: Prospective Bidders/Document Holders

SUBJECT: **Addendum No. 1**  
**City of Durham Contract SR-62**  
**Easement Maintenance – Tree Removal**

This addendum modifies, as detailed below, the requirements and specifics contained in the bid documents for this project. Unless noted below, the requirements contained in the original documents and addenda issued to date, will remain in full effect. This Addendum contains 9 pages.

Modifications include:

**1) General Instructions to Bidder**

Item 2 DOCUMENTS:

- Replace this item with the following:  
Contract documents will be on file in the Department of Water Management, 1600 Mist Lake Drive, Durham, North Carolina. Copies of the bidding documents may be downloaded, free of charge, from the City of Durham's website. To ensure all bidders are kept up to date on any Addenda, changes, or information notices, please send an email to Ms. Crystal Penton ([crystal.penton@durhamnc.gov](mailto:crystal.penton@durhamnc.gov)) indicating your intention to prepare a Bid for the Project. Failure to complete this step may render your Bid as non-responsive.

**2) Proposal**

- Delete this item in its entirety and replace with the attached revised Proposal section.

**3) Project Requirements**

Item 12 NOTIFICATION:

- Replace this item with the following:  
The Contractor will provide a minimum of 7-days of notice to property owners prior commencing work within the easement. The Contractor shall distribute door hangers to convey information about the project. Contractors shall carry photo identification and wear attire with a company logo when distributing door hangers. A proposed draft of the written notice shall be submitted by the Contractor to the Engineer for approval prior to the initiation of any work.

Item 20 SPECIAL REQUIREMENTS:

- Delete Item 1 in its entirety
- Add the following:  
K. The Contractor is responsible for removal and disposal of materials that the Engineer deems cannot be left in place. The City operates a Waste Disposal and Recycling Center (919-560-4611)

at 2115 E. Club Boulevard which does accept commercial loads of yard waste. Use of this facility is at the discretion of the Contractor and all fees apply. Disposal costs should be incorporated into the bid prices.

Method of Measurement

- Add the following:  
Disposal Allowance: The Contractor will be reimbursed for disposal fees up to the amount indicated in the Proposal. The Contractor shall provide receipts indicating the tonnage and tipping fees. Only tipping fees shall be reimbursed. Fuel costs will not be reimbursed and shall be incorporated into the Bid price.  
Mobilization: 50% of this item will be paid with the first payment Request of each season.  
Mobilization limited to no more than 5% of total Bid.

Please acknowledge this addendum in the space provided on the bid form. If you have any questions, contact me at (919) 560-4381, ext. 35284

-----END OF ADDENDUM # 1-----

Sincerely,

Crystal L. Penton, P.E.  
City of Durham  
Department of Water Management

## **PROPOSAL**

**CONTRACT SR-62  
2015  
UTILITY EASEMENT MAINTENANCE  
TREE REMOVAL**

To The City of Durham, North Carolina  
c/o The City Manager  
City Hall  
Durham, North Carolina

The undersigned Bidder hereby declares that the names of all persons interested in this Proposal as principals appear in the blank spaces hereinafter provided for such purpose, that this Proposal is in all respects fair and without collusion, that the Bidder has examined the locations of the proposed work, the advertisement, the instruction to Bidders, the specifications, SDBE requirements of the Minority and Women Business Enterprise Plan of the City of Durham, the Contract documents and Bond forms, and the plans and drawings therein referred to and fully understands the same and agrees and accepts the terms and conditions thereof, that it is understood that the estimated quantities are approximate only and are given for the purpose of comparing bids upon a uniform basis, and that said estimate shall in no way effect the unit prices for the Work.

The undersigned Bidder hereby agrees to furnish at the Bidder's cost the expense of all the necessary labor, tools, apparatus, machinery, equipment, transportation and all other things which may be required to fully and properly perform all the terms, covenants, provisions and agreements of the attached Contract.

The undersigned hereby agrees to do said work and furnish said materials as prescribed in the Contract and Specifications, and, according to the plans and requirements of the Engineer under said Contract and Specifications, in a first-class manner and to the best of the undersigned's ability at the unit prices listed in the bid.

All compensation shall be made in accordance with the Method of Measurement section of the Project Requirements.

# PROPOSAL INFORMATION

## Contract SR-62 2015 Utility Easement Maintenance Tree Removal

| Item No.                       | Description                            | Quantity | Unit | Unit Bid Price | Extended Total Price |
|--------------------------------|--|----------|------|----------------|----------------------|
| 1                              | Remove tree 8" – 12" DBH, season 1     | 160      | EA   |                |                      |
| 2                              | Remove tree 12" – 18" DBH, season 1    | 160      | EA   |                |                      |
| 3                              | Remove tree 18" – 24" DBH, season 1    | 80       | EA   |                |                      |
| 4                              | Remove tree 24" – 36" DBH, season 1    | 30       | EA   |                |                      |
| 5                              | Remove tree > 36" DBH, season 1        | 56       | EA   |                |                      |
| 6                              | Remove tree 8" – 12" DBH, season 2     | 160      | EA   |                |                      |
| 7                              | Remove tree 12" – 18" DBH, season 2    | 160      | EA   |                |                      |
| 8                              | Remove tree 18" – 24" DBH, season 2    | 80       | EA   |                |                      |
| 9                              | Remove tree 24" – 36" DBH, season 2    | 30       | EA   |                |                      |
| 10                             | Remove tree > 36" DBH, season 2        | 56       | EA   |                |                      |
| 11                             | Hand cutting for site access, season 1 | 200      | HR   |                |                      |
| 12                             | Hand cutting for site access, season 2 | 200      | HR   |                |                      |
| 13                             | Public Notification                    | 1        | LS   |                |                      |
| 14                             | Disposal Allowance                     | 1        | LS   | \$10,000.00    | \$10,000.00          |
| 15                             | Mobilization                           | 1        | LS   |                |                      |
| <b>Total Project Bid Price</b> |  |          |      |                |                      |

The undersigned Prime Contractor has regularly engaged in Contract work of this class for \_\_\_\_\_ years, and has executed the following water and/or sewer work as principals:

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List of Prime Contractor's personnel experienced to do this work including and designating the foreperson or forepersons, or superintendent to be in charge of this work showing the length of their varied experience with this particular work. The list shall not include subcontractor personnel.

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List of Prime Contractor's equipment in good condition and suitable for the completion of this Contract. Prime Contractor must be able to demonstrate they own all equipment necessary to complete all portions of the Contract. The list shall not include subcontractor equipment.

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The contractor's safety record shall be reviewed and evaluated in addition to other quality and performance criteria as part of bid evaluation process. The bidder's failure to provide the requested information and documentation may result in the rejection of your bid as non-responsive. Because a poor safety record can be indicative of poor past performance, your bid may also be rejected if you have any of the following deficiencies: (1) a DART Incident Rate above the Industry Average, (2) an EMR above the industry average, (3) OSHA citations or investigation, or (4) an inadequate safety plan. For each identified deficiency you must provide a written explanation of the deficiency and include a detailed explanation of the actions you have taken to address such safety record deficiency.

The following definitions shall apply to this section:

"DART incident rate" – Acronym for "Days Away, Restrictions, and Transfers". The DART incident rate may be used to show the relative level of injuries and illnesses within a firm compared to the industry. It is based only on those injuries and illnesses severe enough to warrant "Days Away, Restrictions and Transfers". The DART incident rate is calculated using OSHA's Form 300 and the following formula:

$$((\text{Number of entries in column H (days away from work)} + \text{column I (job transfer or restriction)}) \times 200,000) / (\text{Number of hours worked by all employees}) = \text{DART Incident Rate.}$$

"EMR" – Acronym for "Experience Modification Rate," is an indicator of a contractor's past safety performance, widely used by the insurance industry as an equitable means of determining premiums for worker's compensation insurance. The rating system considers the average worker's compensation

losses for a given firms type of work and amount of payroll and predicts the dollar amount of expected losses to be paid by that employer in a designated rating period, usually three years. The rating is based on comparison of firms doing similar types of work, and the employer is rated against the average expected performance in each work classification. Losses incurred by the employer for the rating period are then compared to the expected losses to develop an experience rating.

“OSHA” – Acronym for the Federal Occupational Health and Safety Administration. The term “OSHA” as used in this Policy also refers to any state or local agency having jurisdictional authorization to enforce worker safety requirements and assess fines or warnings for violation of worker safety standards.

All bidders must submit the following information regarding their safety record.

1. OSHA DART Incident Rate. Provide the bidder’s DART Incident Rate calculated from OSHA’s Form 300 for the last three years and the other required information shown in the table below. The bidder must attach all supporting documentation and calculations including certified OSHA forms.

| YEAR | CONTRACTOR<br>DART INCIDENT RATE | MOST CURRENT<br>INDUSTRY FIELD<br>DART INDUSTRY<br>RATE** | NAISC CODE |
|------|----------------------------------|---|------------|
|      |                                  |   |            |
|      |                                  |   |            |
|      |                                  |   |            |

\*\* the “Industry Dart Incident Rate” for your industry field and code may be found at the following website: <http://www.bls.gov/iif/oshsum.htm> Scroll down to Summary Tables and click “PDF” for most current available data.

- a. If your DART Incident Rate is above the industry average for any year, attach a written explanation of the actions you have taken to reduce your DART Incident Rate.
2. Experience Modification Rate (EMR). Provide the bidder’s most recent Experience Modification Rate (EMR) based on insurance claims history. The bidder must provide the source of the EMR information and contact information of insurer entity providing the EMR.

| YEAR | CONTRACTOR EMR | INDUSTRY FIELD AND<br>CODE | NAME AND CONTACT<br>INFO FOR EMR<br>INFORMATION |
|------|----------------|----------------------------|---|
|      |                |                            |   |

- a. If your EMR is greater than 1.0, attach a written explanation of the actions you have taken to reduce your EMR.
3. Answer the following OSHA Specific Questions:
  - a. Within the last 2 years, has the bidder received any citations classified by OSHA as being (1) serious, (2) willful and/or (3) repeat violations where your company operates?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, attach a copy of each such citation and violation, and include a written explanation of the actions you have taken to reduce the incidents of such OSHA violations in the future.

- b. Has the bidder experienced any work related fatalities within the last five years?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, attach an explanation of each such fatality, and include a written explanation of the actions you have taken to reduce the incidents of such fatality or fatalities in the future.

- c. Has the bidder had any citation issued by OSHA as a result of work related fatalities within the last 5 years

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, attach a copy of such citation(s), an explanation of the citation(s), and include a written explanation of the actions you have taken to reduce the incidents of such OSHA citations in the future.

- d. Is the bidder under investigation for any work related fatalities?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, attach a written explanation of each such investigation, and include a written explanation of the actions you have taken to reduce the incidents of such fatality or fatalities in the future.

4. Safety Plan:

- a. Does the company have a written safety program that includes responsibility for all aspects of safety management?

Yes \_\_\_\_\_ No \_\_\_\_\_

If you answered "No" or "N/A", attach a written explanation and what actions you have taken to address such Safety Plan deficiency.

- b. Does the company have a written plan for safety training of new employees and ongoing training of existing employees?

Yes \_\_\_\_\_ No \_\_\_\_\_

If you answered "No" or "N/A", attach a written explanation and what actions you have taken to address such Safety Plan deficiency.

- c. Does the company have documented evidence of safety training that they have conducted?

Yes \_\_\_\_\_ No \_\_\_\_\_

If you answered "No" or "N/A", attach a written explanation and what actions you have taken to address such Safety Plan deficiency.

- d. If the company has employees with limited English ability, does the company have a written plan for ensuring that their employees understand the training they are being given?

Yes \_\_\_\_\_ No \_\_\_\_\_

If you answered "No" or "N/A", attach a written explanation and what actions you have taken to address such Safety Plan deficiency.

- e. Do all supervisors have an appropriate documented level of OSHA training (e.g. a minimum of 30 hour OSHA construction safety training)?

Yes \_\_\_\_\_ No \_\_\_\_\_

If you answered "No" or "N/A", attach a written explanation and what actions you have taken to address such Safety Plan deficiency.

- f. Do employees have documented basic OSHA 10 hour construction safety training?

Yes \_\_\_\_\_ No \_\_\_\_\_

If you answered "No" or "N/A", attach a written explanation and what actions you have taken to address such Safety Plan deficiency.

- g. Does the company have a documented Hazard Communication Program?

Yes \_\_\_\_\_ No \_\_\_\_\_

If you answered "No" or "N/A", attach a written explanation and what actions you have taken to address such safety plan deficiency.

5. Required Written Explanation of Deficient Safety Record. Your bid may be rejected if you fail to provide an adequate written explanation of actions you have taken to address a deficient safety record pursuant to this safety information request form.



Respectfully submitted,

By: \_\_\_\_\_  
Signature of Person, Firm or  
Corporation

\_\_\_\_\_  
President

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Contact Person

Attest:

\_\_\_\_\_  
Secretary

State of North Carolina General Contractor License No. \_\_\_\_\_(if applicable)